



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Jeffrey A. Bluestone

Serial No.: 10/067,104

Filed: February 4, 2002

For: METHODS AND COMPOSITIONS FOR  
PROMOTING IMMUNOPOTENTIATION

Group Art Unit: 1619

Examiner: Unknown

Atty. Dkt. No.: TOLT:006USD4

**CERTIFICATE OF MAILING  
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

November 6, 2002

Date

Gina N. Shishima

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated August 6, 2002, there are enclosed herewith:

- (a) Abstract;
- (b) Preliminary Amendment;
- (c) Applicant notes that the Notice to File Missing Parts includes "a request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office submitted as permitted by 37 C.F.R. 1.821(e)." In response, Applicant respectfully notes that a request was not made to transfer the sequence

listing in the Request for Filing a Divisional Application. As such, no sequence listing is required and it is believed that the requirement to submit a Sequence Listing and compliant CRF is now moot.

- (d) Our check in the amount of \$571.00 to cover the basic filing fee (\$370.00 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$81.00); one month extension of time fee (\$55.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and
- (f) A Request for Extension of Time of one month to and including November 6, 2002. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/TOLT:006USD4.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Gina N. Shishima  
Reg. No. 45,104  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 6, 2002



WRITER'S INTERNET ADDRESS:  
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WRITER'S DIRECT DIAL NUMBER:  
512/536-3081

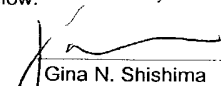
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November 6, 2002

FILE TOLT 006USD4

CERTIFICATE OF MAILING 37 C.F.R 1.8	
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November 6, 2002	
Date	
	Gina N. Shishima

### BOX MISSING PARTS

Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Application No. 10/067,104 entitled "METHODS AND COMPOSITIONS FOR PROMOTING IMMUNOPOTENTIATION" – Jeffrey A. Bluestone*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed August 6, 2002;
- (2) Abstract;
- (3) Preliminary Amendment;
- (4) Request for Extension of Time;
- (5) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(c)-Filing Date Granted;
- (6) Check in the amount of \$571.00;
- (7) Information Disclosure Statement;
- (8) Form PTO-1449; and

Commissioner for Patents

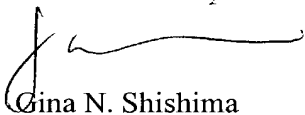
November 6, 2002

Page 2

- (9) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/TOLT:006USD4.

Respectfully submitted,



Gina N. Shishima  
Reg. No. 45,104

GNS/mar

Encl: as noted



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/067,104	02/04/2002	Jeffery A. Bluestone	TOLT.006USD4

CONFIRMATION NO. 5806

FORMALITIES LETTER



\*OC000000008576907\*

Gina N. Shishima  
FULBRIGHT & JAWORSKI L.L.P.  
Suite 2400  
600 Congress Avenue  
Austin, TX 78701

Date Mailed 08/06/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below

The required item(s) identified below must be timely submitted to avoid abandonment:

- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b))
- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d)

For questions regarding compliance to these requirements, please contact:

11/15/2002 MBIZUNES 00000002 10067104

01 FC:2001 370.00 OP  
02 FC:2051 65.00 OP  
03 FC:2202 81.00 OP

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$81** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$516** for a Small Entity

- **\$370** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$81**
  - **\$81** for **9** total claims over 20.

*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE